

**Gwichyaa Gwich'in Tribal Government
And
Chalkyitsik Tribal Council**

Tribal Natural Resource Department

Black River Recorded Disclaimer of Interest

Claiming & Comments

We the Gwichyaa Zheh and Drandik Gwich'in (people) have from ancient time lived and survive on the Dr'andik river which mean (Cache river People) or Black River. We are also the Native Village of Fort Yukon and Tribal village of Chalkyitsik with direct recognition as a Federal Tribal Government.

Dear Mr. Haskins:

On behalf of the Tribal Natural Resource Department for Gwichyaa Gwich'in Tribal Government & Chalkyitsik Tribal Village Council

The Tribal Natural Resource Department of Chalkyitsik and Gwichyaa Gwich'in Tribal Government (NVFY) have oppose the Recordable Disclaimer of Interest on Black River on the following points:

- No, government to government consultation meeting between Chalkyitsik Village Council and Native Village of Fort Yukon (Gwichyaa Gwich'in Tribal Government) or with any Federal or state agency's.
- The state of Alaska & BLM have not travel to Ft. Yukon or Chalkyitsik to consult with their Tribal government and the state did not identify adverse claimant to the land for the simple reason that they did not talk to the native people who lived on the Dr'andik river since time immortal.
- Where is the trust responsibility between the Federal Agency, allotment owner, restricted, tribal, corporation/private land:
- There is numerous Cultural/Spiritual traditional site along the Dr'andik river that is cultural/religious significance to the Tribal members that have not been considered including gravesite:
- Have the BLM address the National Historic Preservation Act Section 106, (36 CFR Part 800). Two amended sections of NHPA have a direct bearing on the Section 106 review process are Section 101 (d) (6) (A), which clarifies that historic properties of religious/cultural significance to Indian Tribe may be eligible for listing in the National Register and Section 101 (D) (6) (B) which require Federal agencies in carrying out their Section 106 responsibilities, to consult with any Indian tribe that attaches religious/cultural significance to historic properties that may be effected by an undertaking: also section 800.2(o)(2):
- Did BLM follow their General Procedural Guidance for Native American Consultation (BLM Manual Handbook H-8160-1):

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- Not enough of Navigable of water body information gather, for a guiding legal document:
- Tribal claiming water bed is very significance to our way of life as we depend on the water for our daily survival:

Mike, this will be our position and is it the responsibility of the Bureau of Land Management to defend our Tribe's rights to use, occupancy, and benefit"43 CFR 1864. 1-3(b)(2) and 25 CFR 150.2 (h) the US trust agreement.

Any question please be free to call or contact me @ 907-662-2531 David M. James
Natural Resource Director
Or Chester Druck Chalkyitsik Tribal Council Natural Resource Director @ 907-848-8117

Mass'ii Choo
(Thank --you)

David M. James 08-06-09
Chester Druck

cc. Gwichyaa Zhaa Gwich'in Tribal Government Councils
Chalkyitsik Tribal Councils.

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